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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Part 68 of the) CC Docket No. 96-28
Commission's Rules) RM-8621

COMMENTS OF LUCENT TECHNOLOGIES INC.
IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING

Pursuant to Section 1.415 of the Commission's Rules (47 C.F.R. § 1.415), Lucent Technologies Inc. ("Lucent Technologies") submits these comments in support of the Commission's Notice of Proposed Rulemaking ("NPRM") in this docket, released 29 February 1996. These rule changes would implement the harmonization of the Commission's Part 68 Rules with those of Canada, pursuant to the industry agreements reached under the auspices of the Telecommunications Industry Association.

Lucent Technologies does request, however, that one crucial correction be made to the rules proposed by the NPRM, in order to make it reflect accurately TIA's Petition concerning the grandfathering of existing equipment.

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DISCUSSION

On 1 May 1995, AT&T Corp. ("AT&T") filed Comments in support of the Petition of the TIA for this rulemaking action. All other parties commenting at that time also supported TIA's Petition.

On 20 September 1995, AT&T announced a corporate restructuring. Lucent Technologies is the equipment company formed as a result of that restructuring. As of the date these Comments are filed, Lucent Technologies remains an affiliate of AT&T.

The Commission's instant Notice of Proposed Rulemaking would implement TIA's Petition. Lucent Technologies, in its own right, continues to believe (as did its predecessor, AT&T) that TIA's Petition was correct. Commercial and regulatory advantages can be obtained if the network protection standards of the United States and Canada are harmonized. The rule changes proposed in this docket are, in general, a reasonable compromise between the two sets of standards; they were developed and negotiated through four years of technical effort by affected industry members, and they deserve the support of all parties.

In one respect, however, the Commission's proposed rules are insufficient. TIA proposed to amend Section 68.2(j) to provide grandfathering for existing equipment, in

order to avoid any requirement to re-register all the equipment that has already been registered under existing rules. For Lucent Technologies, such a grandfathering provision is absolutely necessary to avoid re-registration of products -- products which are already registered under the existing rules, are already in use, and are already shown by experience not to cause harm to the network. Re-registration of all of these products would be an unneeded expense which should be avoided. Other equipment providers are in the same position. TIA's proposed language was as follows:

"(j) Terminal equipment and systems registered prior to the (Date of adoption of the rules) do not have to be re-registered unless subsequently modified. All new equipment and systems manufactured after (Register only date) must conform to the requirements."¹

Unfortunately, while the Commission's NPRM (at 8) mentions TIA's position on the issue, the actual rules proposed by the Commission in Appendix B to the NPRM do not appear to include TIA's grandfathering proposal. In addition, the Commission's "Conclusion" Section (NPRM at 14) fails to mention the issue again.

Lucent Technologies respectfully proposes that the Commission remedy this omission, by adopting TIA's proposed

¹ NPRM, Appendix A, at 89.

Section 68.2(j). Failure to adopt that Section will impose huge costs on the industry, without yielding any benefits.

Respectfully submitted,

LUCENT TECHNOLOGIES INC.

By:

Richard F. Hope by ALB) KST
Paul D. Diczok
Richard F. Hope

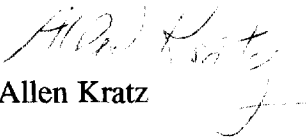
Its Attorneys

Room 2F-214
219 Mt. Airy Rd.
Basking Ridge, NJ 07920
(908) 953-4970

Dated: 1 April 1996

Certificate of Service

I, Allen Kratz, do hereby certify that on this first day of April, 1996, a copy of the foregoing "Lucent Replay" was mailed by U.S. first-class mail, postage prepaid, to the parties listed on the attached service list.


Allen Kratz

April 1, 1996

Service List, CC 96-28

William F. Caton
Secretary
Federal Communications Commission
1919 M Street, Room 222
Washington, DC 20554

Regina Keeney, Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, Room 500
Washington, DC 20554

International Transcription Service
Suite 140
2100 M Street, N.W.
Washington, DC 20037

Ernest A. Gleit
Mark C. Rosenblum
Kathleen F. Carroll
Attorneys for AT&T
Room 3252F3
295 N. Maple Ave.
Basking Ridge, NJ 07920

M. Robert Sutherland
A. Kirven Gilbert III
Attorneys for BellSouth
4300 Southern Bell Center
675 W. Peachtree Street, N.W.
Atlanta, GA 30375

Herbert Marks
Jonathan Jacob Nadler
Jeffrey A. Campbell
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, DC 20044

Edward R. Wholl
Carlos J. Sandoval
Attorneys for NYNEX
1111 Westchester Avenue
White Plains, NY 10604

William S. Hurst
Vice President
CCL
1940 West Alexander Street
Salt Lake City, UT 84119-2039

Matthew J. Flanigan, President
Telecommunications Industry Association
2500 Wilson Boulevard, Suite 300
Arlington, VA 22201-3836

Dan Bart, Vice President, Standards and Technology
EIA/TAI
Telecommunications Industry Association
2500 Wilson Boulevard, Suite 300
Arlington, VA 22201-3836

Paul H. Vishny, General Counsel
Telecommunications Industry Association
2500 Wilson Boulevard, Suite 300
Arlington, VA 22201-3836